

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Case No. 09-58047

WANDA Y. LEVERETTE,

Chapter 13

Debtor.

Judge Thomas J. Tucker

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ORDER DENYING MOTION FOR RECONSIDERATION

This case comes before the Court on Debtor's "Motion for Reconsideration," filed on August 28, 2009 (Docket # 40, the "Motion"), which this Court construes as a motion for reconsideration of, and for relief from, the August 26, 2009 Order dismissing this case with a 180-day bar to refiling (Docket # 38), and

The Court having reviewed and considered the Motion, and

The Court finds the Motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

The Court finds that the allegations in the Motion do not establish excusable neglect under Fed.R.Civ.P. 60(b)(1), FedR.Bankr.P. 9024, or any other valid ground for relief from the order dismissing this case.

In addition, the Court notes the following: a further flaw in the Motion is that it does not mention the fact that Debtor *stipulated*, in writing through her attorney Tadd Klimmek, to the dismissal of this case with a 180-day bar to refiling, in the stipulation filed August 26, 2009 (Docket # 37). The Motion does not allege any facts or basis for granting Debtor relief from an order *that she stipulated to*.

NOW, THEREFORE,

IT IS ORDERED that the Motion should be, and is, DENIED.

Signed on September 01, 2009

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge